

**Montana Transportation Commission
Minutes
August 6, 2007**

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The Montana Transportation Commission met via conference call on August 6, 2007
The meeting was called to order by Commissioner Espy at 10:05 am with the following participants:

Diann Winterburn, Commissioner (District 3)
Rick Griffith, Commissioner (District 2)
Nancy Espy, Commissioner (District 4)
Kevin Howlett, Commissioner (District 1)
Kevin Christensen, MDT
Loran Frazier, MDT
Jim Lynch, MDT Director
Jim Currie, MDT
Lyle Manley, MDT
Jim Wickens, Sletten Construction
Lee Ebeling, Lacy & Ebling

1) Awards: Loran Frazier presented information regarding the staff recommendation for the following projects:

Project Number	Project Description	County Counties	District	Bid Amount	Contractor
NH 5-2(123)48	Spring Creek Rd-Minesinger Trail	Lake	Missoula	25,447,801.97	Riverside Contracting Inc
IM 90-7(86)354	Springdale Intch - East	Sweet Grass	Billings	6,224,396.25	Prince Inc
HSIP 484-1(12)8	Otter Creek Road - Fencing	Powder River	Glendive	372,055.20	Menard Construction Inc
BR 251-1(4)18	Kirn Coulee - 37 km NE of Poplar	Roosevelt	Glendive		Not Recommended for Bid

Four (4) projects were advertised, in all, thirteen (13) bids were tendered. Staff recommends awarding the following projects to the respective low bidders.

Commissioner Howlett moved to adopt the staff recommendations and award the projects Commissioner Winterburn seconded the motion. All commissioners voted aye.

2) Results of Design-Build Selection Process for MT 200 Blackfoot River Bridge Replacement Project: Loran Frazier explained the process and staff recommendations, Jim Lynch explained the funding agreement with the EPA/DEQ and confirmed the temporary bridge during the building process. Commissioner Griffith, questioned the engineers estimate and ask if it was low, Director Lynch confirmed that the estimate was low but the EPA was contributing the majority of funding for the project. Total funding is 7 million with EPA contributing 5.6 million.

Background:

The Request for Qualifications (RFQ) package was advertised on May 17, 2007. Statement of Qualifications (SOQ) responses were received from three design-build teams (Firms) on June 6, 2007. A Technical Review Committee (TRC) consisting of six MDT staff members and one FHWA representative from various project-related disciplines independently evaluated and scored the SOQ of the three teams based on the established Evaluation Criteria and Scoring Guide. The TRC produced a ranked

short list of three Firms that were invited to submit Proposals. Request for Proposal (RFP) packages were issued to the three short-listed Firms on June 15, 2007 with Technical Proposal responses due on July 16, 2007 and Bid Price Proposal responses due on July 25, 2007. MDT was notified in writing on July 3, 2007 that the Morgen & Oswood Construction Company, Inc./Stelling Engineers, Inc. team would not be submitting a proposal. The following is a summary of the proposal evaluation process and resulting recommendation.

Proposal Summary and Selection Committee Recommendation:

Two sealed Technical Proposal packages were received on July 16, 2007 and two sealed Bid Price Proposal packages were received and publicly opened at 10:00 AM on July 25, 2007. Proposals were received from the following Firms:

FIRM	LUMP SUM BID PRICE PROPOSAL AMOUNT
Frontier West, LLC/Morrison Maierle, Inc.	\$7,098,000
Sletten Construction Company/ Lacy & Ebeling Engineering, Inc. ** Bid Price Proposal Contained Conditional Items	\$6,725,000 **
MDT Revised Engineer's Estimate (Without ICAP)	\$5,873,546

The Frontier West, LLC/Morrison Maierle, Inc. team's total Lump Sum Bid Price amount is 20.85% above the Revised Engineer's Estimate. The Sletten Construction Company/Lacy & Ebeling Engineering, Inc. team's total Lump Sum Bid Price amount is 14.50% above the Revised Engineer's Estimate. The TRC evaluated and scored the written Technical Proposals submitted by each Firm prior to opening of the Bid Price Proposals. This score was based on evaluation criteria and scoring guidelines provided in the RFP package. All Technical Proposals were independently scored and tabulated before the Bid Price Proposals were opened. Contract Plans Bureau publicly opened the sealed Bid Price Proposals at 10:00 AM, July 25, 2007. Contract Plans Bureau and the Design-Build Engineer divided each Firm's Total Bid Price Proposal amount by the Total Technical Proposal Score provided by the TRC to determine the lowest Adjusted Score. The lowest Adjusted Score is considered the best value proposal for MDT. Contract Plans Bureau and the Design-Build Engineer provided the Adjusted Score and supporting information for each Firm to the Selection Committee.

The following formula was used to determine the Adjusted Score for each Firm:

Adjusted Score =

Total Bid Price Proposal Amount (\$)

Total Technical Proposal Score

The Selection Committee reviewed the Bid Price Proposals and Technical Proposal evaluation and scoring information provided by the TRC. The following is a summary of the proposal results:

FIRM	TOTAL BID PRICE PROPOSAL AMOUNT	TOTAL TECHNICAL PROPOSAL SCORE	ADJUSTED SCORE (Best Value)
Frontier West, LLC/ Morrison Maierle, Inc.	\$7,098,000	47,222	150.311
Sletten Construction Company/ Lacy & Ebeling Engineering, Inc. ** Bid Price Proposal Contained Conditional Items	\$6,725,000 **	40,408	166.427

After reviewing the Technical Proposal Evaluation and Scoring information provided by the TRC and the Bid Price Proposals, the Selection Committee recommends the following:

1. The Sletten Construction Company/Lacy & Ebeling Engineering, Inc. proposal is considered non-responsive since the Bid Price Proposal included a letter outlining conditional bid items which is specifically not allowed by Section III, Subsections E and H of the Request for Proposal (RFP) and Standard Specifications Section 102.08, B. Since the Firm is considered non-responsive per Section VIII, Subsection E of the RFP, it is not eligible for the stipend payment.
2. Award contract to the Frontier West, LLC/Morrison Maierle, Inc. team, with the lowest Adjusted Score considered the Best Value for MDT, in the amount of \$7,098,000.

Jim Wickens, questioned the \$44,000.00 stipend for the unsuccessful bidder. Lee Ebeling explained that they were not challenging the contract award just the stipend process. There were over 600 man hours contributed to the project in six weeks. If contractors weren't paid the stipend he questioned the participation of contractors in the future.

Commissioner Espy, ask for additional information at the August 30, 2007 meeting in Kalispell and at that time the commission would take the request into consideration. Commissioner Howlett motioned to table the stipend process, Commissioner Griffith seconded, all voted aye. Staff will complete recommendation at August 30, 2007 meeting.

3) Commission Discussion:

Regular Meeting – August 29-30, 2007 (Kalispell)
Regular Meeting – September 20, 2007 (P-3)
Conference Call – August 6, 2007

Discussion included arrangements for the Aug. 29-30 meeting. It was generally agreed that all would meet in Missoula and tour US 93, South/ North along the way. The regular commission meeting would take place the 30th in Kalispell.

Commissioner Winterburn will not be in attendance at the Sept. 20 meeting.

The call concluded at 10:40 am.

Nancy Espy, Vice Chair
Montana Transportation Commission

Jim Lynch, Director
Montana Department of Transportation

Lori Ryan, Secretary
Montana Transportation Commission